



Minnesota Pollution Control Agency

Celebrating our 25th anniversary and the 20th anniversary of the Clean Water Act

June 24, 1992

CERTIFIED MAIL NO. P 802 326 126
RETURN RECEIPT REQUESTED

Mr. Robert DeRoma, Vice President
Interplastic Corporation
1225 Wolters Boulevard
Vadnais Heights, Minnesota 55110-5145

Dear Mr. DeRoma:

RE: Notice Of Violation

Enclosed is a Notice Of Violation (NOV) issued by the Minnesota Pollution Control Agency (MPCA) to Interplastic Corporation (Company) for failure to obtain a permit prior to commencing construction to vent emissions from the "Pilot Reactor" to the thermal oxidizer. In addition, the Company had not, as of May 8, 1992, applied for an air emission permit for the two boilers which are located at the 2015 N.E. Broadway, Minneapolis, Minnesota facility (Facility).

MPCA staff inspected the Facility on May 8, 1992, and requested that the Company cease further construction and apply for required permits. You are requested to respond to the Requirements section of the NOV within ten (10) days of the date of the NOV.

Amendment No. 3 to Air Emission Permit No. 1176-86-OT-2 was issued to the Company on July 31, 1991. This permit authorized a number of storage tanks to be connected to the thermal oxidizer. This list did not include the "Pilot Reactor". During a previous MPCA inspection of the Facility, Company representatives were informed of the need to contact the Air Quality Permits Unit regarding boilers and any other unlisted equipment. As of May 8, 1992, the Company had not submitted a permit application for the boilers located at the facility.

The Company is reminded that an air emission facility permit should be thoroughly examined and any questions regarding interpretation should be referred to MPCA staff. Failure to abide by the terms of an air emission facility permit or Minn. rules may lead to escalated enforcement action. MPCA staff believe that the Company's attention to this matter can avert any future potential problems.

Mr. Robert DeRoma
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June 24, 1992

If you have any questions please contact me at (612)296-7955.

Sincerely,

Jim McCann.

James McCann
Enforcement Unit
Compliance and Enforcement Section
Air Quality Division

JMC:jeh1488

Enclosure: Permit Application

cc: Shirley Mitchell, U.S. EPA
Ann Seha, Attorney General's Office
Cynthia Kahrman, AQD
Amrill Okonkwo, AQD
Ann Foss, AQD
AQD File No. 1176

STATE OF MINNESOTA

MINNESOTA POLLUTION CONTROL AGENCY

AIR QUALITY DIVISION

IN THE MATTER OF: Construction without a permit
Interplastic Corporation
Minneapolis, Minnesota

To: Mr. Robert DeRoma, Vice President
Interplastic Corporation
1225 Wolters Boulevard
Vadnais Heights, Minnesota 55110-5145

AUTHORITY

This Notice Of Violation (NOV) is issued under the authority contained in Minn. Stat. § 116.07 (1990).

VIOLATIONS

PLEASE BE ADVISED, that the Minnesota Pollution Control Agency (MPCA) has sufficient information to indicate that Interplastic Corporation (Company) has violated the following provisions of Minn. Rules pts. 7001.0030 and 7001.1210 and Minn. Stat. § 116.081. The rules and statute state, in part:

Minn. Rules Pt. 7001.0030 PERMIT REQUIRED.

No person required by statute or rule to obtain a permit may construct, install, modify, or operate the facility to be permitted, nor shall a person commence an activity for which a permit is required by statute or rule until the agency has issued a written permit for the facility or activity.

Minn. Rules Pt. 7001.1210 PERMIT REQUIREMENT.

Subp. 1. Permit Required. Except as provided in subp. 2, no person may construct, modify, reconstruct, or operate an emissions unit, emission facility, stationary source, or control equipment without obtaining an air emission permit from the agency.

Minn. Stat. § 116.081 PROHIBITIONS

Subd. 1. Obtain Permit. It shall be unlawful for any person to construct, install or operate an emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, storage facility, or system or facility related to the collection, transportation, storage, processing, or disposal of waste, or any part thereof, unless otherwise exempted by any agency rule now in force or hereinafter adopted, until plans therefor shall have been submitted to the agency, and a written permit, therefor shall have been granted by the agency. The requirements of the section shall not be applied to motor vehicles.

Subd. 3. Permission For Alteration. It shall be unlawful for any person to make any change in, addition to or extension of any existing system or facility specified in subd. 1, or part thereof, that would materially alter the method or the effect of treating or disposing of any air contaminant or solid waste, or to operate said system or facility, or part thereof, so changed, added to, or extended until plans therefor shall have been submitted to the agency, and a written permit, therefor, shall have been granted by the agency.

DESCRIPTION OF VIOLATIONS

A MPCA staff inspection of the Company's 2015 N.E. Broadway, Minneapolis, Minnesota facility (Facility), on May 8, 1992, documented that a pipe had been constructed onto the exhaust point of the "Pilot Reactor". The construction of this pipe is part of a process to vent emissions from the "Pilot Reactor" to the Thermal Oxidizer. In addition, the Company as of May 8, 1992, had not applied for an air emission permit for the two boilers which are located at the Facility.

Failure to obtain the required permits are violations of Minn. Rules pts. 7001.1210 and 7001.0030 and Minn. Stat. § 116.081.

REQUIREMENTS

In order to address the violations cited in this NOV, the Company is requested to respond accordingly:

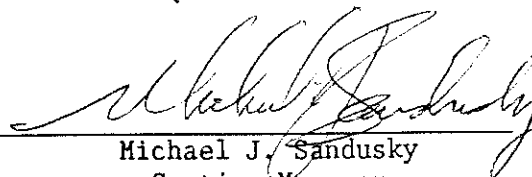
1. submit a written explanation to the MPCA, Air Quality Compliance Determination Unit Supervisor, postmarked or received by ten (10) days after the date of the NOV, stating why a permit application was not submitted for the two boilers by May 8, 1992;
2. submit a written explanation to the MPCA, Air Quality Compliance Determination Unit Supervisor, postmarked or received by ten (10) days after the date of the NOV, stating what measures the company will take to ensure future permit applications are submitted as required and permits obtained, as required by Minn. Rules pts. 7001.1210 and 7001.0030;
3. submit a written statement, to the MPCA, Air Quality Compliance Determination Unit Supervisor, postmarked or received by ten (10) days after the date of the NOV, responding to our request that no further construction will take place at the Facility until required permits have been obtained;
4. submit a complete permit application, if not already done so, listing all previously unidentified emission sources, to the MPCA, Air Quality Compliance Determination Unit Supervisor, postmarked or received by ten (10) days after the date of the NOV.

NOTICE

THEREFORE, you are hereby given notice that the above violations have been recorded by the MPCA. This Notice Of Violation does not preclude the MPCA from taking further action with respect to the above violations. Continued violation of MPCA rules will result in initiation of further administrative or legal enforcement action.

DATED: JUNE 24, 1992

COMPLIANCE AND ENFORCEMENT SECTION
AIR QUALITY DIVISION


Michael J. Sandusky
Section Manager

MJS/JMC:jeh1488

cc: Shirley Mitchell, U.S. EPA Region V
Ann Seha, Attorney General's Office
Cynthia Kahrman, AQD
Amrill Okonkwo, AQD
Ann Foss, AQD
AQD File No. 1176

CERTIFIED MAIL NO. P 802 326 126
RETURN RECEIPT REQUESTED

Address Submittals to:

Supervisor
Compliance Determination Unit
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155
(612)296-7780

Address Further Correspondence to:

James McCann
Enforcement Unit
Regulatory Compliance Section
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155
(612)296-7955